

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 02-0307 DAE
)	
Plaintiff,)	
)	
vs.)	
)	DECLARATION OF
LENORA JEAN AITCHISON,)	JACK SCHWEIGERT, ESQ.
)	
Defendant.)	
_____)	

DECLARATION OF JACK SCHWEIGERT, ESQ.

I, Jack Schweigert, Esq., declare as follows:

1. I am attorney for Defendant Lenora Aitchison in this case.
2. In that capacity I attended a debriefing Ms. Aitchison had with DEA Special Agent Jessie Fourmy at the Hilo Police Department on October 3, 2006.
3. During that debriefing, my client made several statements regarding her involvement in the growing of marijuana at her Kopua Farm lot residence.
4. I have read the report prepared by Agent Fourmy on October 10, 2006 (Exhibit 2d, Sentencing Statement of the U.S.A. filed November 24, 2006), and will attest that some of what he writes was not the testimony of my client given at this meeting.

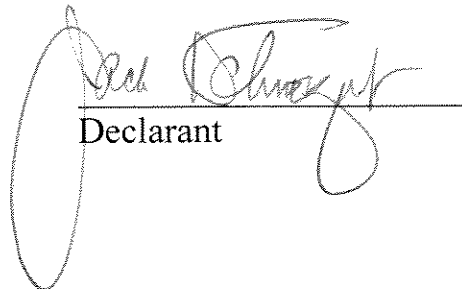
5. On January 3, 2007, the government filed a Response to Defendant's Sentencing Statement wherein the Government cites to some of the points made in Agent Fourmy's report to support its contention Ms. Aitchison was untruthful and not forthcoming so as to not warrant the safety valve that she would otherwise qualify for. Therefore, I now need to testify on the points as a witness on behalf of my client so that under Rule 3.7, Rules of Professional Conduct, my withdrawal as her attorney is required.

6. I believe Ms. Aitchison does qualify for the appointment of Public Defender for as indicated at ¶ 85 of the Draft Presentence Report, she has a net worth of minus \$7,817.00 and only makes a total monthly salary of \$1,200.00 as a bus driver, with monthly living expenses of \$755.00.

7. If the Court grants my motion to withdraw and finds Ms. Aitchison qualifies for a Public Defender, I ask the Court then also continue the sentencing of Ms. Aitchison so new counsel can prepare.

I declare under penalty of perjury that the foregoing statements are true and correct.

Executed in Honolulu, Hawaii this 16th day of January 2007.


Declarant